

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
W.R. Grace & Co., et al.,) Case No. 01-01139 (JKF)
) (Jointly Administered)
Debtors.)
)

CLAIMANTS AMERICAN LEGION, (CLAIMANT #3406) PRELIMINARY
DESIGNATION OF FACT AND EXPERT WITNESSES REGARDING PRODUCT
IDENTIFICATION, LIMITATIONS PERIODS AND THE LIBBY ISSUE AS
DESCRIBED IN THE FIFTEENTH OMNIBUS OBJECTION

American Legion (Claimant #3406, 505 3rd Avenue North, Fargo, ND 58102)

submits this preliminary designation of fact and expert witnesses regarding Product Identification, Limitations Periods and the Libby Issue as described in the Fifteenth Omnibus Objections:

Virgil Esteson or Wallace Lueck
Finance Officer
American Legion
505 3rd Avenue
Fargo, ND 58102

Mr. Esteson or Mr. Lueck may testify about the location, inspection, monitoring and abatement of asbestos containing products.

Darrin Broin or Thomas M. Gentzkow
TAC Environmental, Inc.
4202 3rd Avenue, NW
Fargo, ND 58102
(701) 281-9585

Mr. Broin or Mr. Gentzkow may testify about the result of bulk sampling done on sampled from the building.

Claimants hereby incorporate by reference as if fully contained herein any experts or lay witnesses filed by any other property damage claimants regarding Grace's constructive or active notice objections. Claimants may call the following experts to testify regarding issues involving construction or inquiry notice. The following experts may also testify that air monitoring or dust sampling is not always necessary to make rational judgments about appropriate actions to be taken when friable asbestos containing materials are identified in a building. They may also testify that some abatement decisions can responsibly be made on the basis of visual inspections.

Henry A. Anderson, MD

Laura S. Welch, MD

William M. Ewing

Dr. William Longo, Ph.D.

Dr. William Longo, PhD.
Materials Analytical Services
3945 Lakefield Court
Suwanee, GA 30024

Dr. William Longo is the President of Materials Analytical Services, Inc. in Suwanee, Georgia. Dr. Longo will specifically testify to the identification of W.R. Grace's products. Dr. Longo has conducted extensive research with asbestos-containing materials and various methods for analysis of asbestos fibers. As a microscopist, his research included analysis of asbestos fibers in settled dust and the potential for asbestos fibers to be released from various asbestos-containing materials. He may also testify to the use or lack of air samples in assessing building owners' decisions to maintain or abate asbestos containing materials. He will also testify to various bulk samples collected from buildings at issue and identify those products or W.R. Grace/Zonolite products. Dr.

Longo has also conducted research on the mineral fiber content of lung tissue with environmental exposures of asbestos, including household contracts and building occupants.

Dr. Longo is expected to testify regarding his work with asbestos and his analytical methods of analyzing asbestos fibers in lung tissue and various building or industrial products. He may testify and offer opinions concerning whether specific types of Grace asbestos-containing products have a potential to release respirable asbestos fibers. He may also testify and show video tapes concerning fiber release simulations and experiments. Claimants reserve the right to name or incorporate herein all W.R. Grace witnesses to authenticate any documents attached to Claimants filings for identification of W.R. Grace products or documents relative to W.R. Grace objections based on actual or constructive knowledge.

Claimants incorporate herein any and all chain of custody witnesses as they relate to bulk, dust and air sample collections, surveys and analysis.

Claimants incorporate herein any and all persons who were involved in collection of bulk of air or dust samples, the analysis of such and persons if not specifically identified above involved in conducting, supervising or analyzing asbestos surveys.

Claimants hereby incorporate witnesses listed above may testify to issues surrounding actual notice in regards to the statute of limitations. Claimants may identify additional witnesses with particular facts that contradict Grace's objections on statute of limitations grounds.

Claimants reserve the right to identify additional fact witnesses involved in the installation of W.R. Grace products.

Dated: November 6, 2006

/s/ Laurie Schenker Polleck

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